

**TOWN OF SHREWSBURY
SPECIAL TOWN MEETING
SEPTEMBER 26, 2006**

The meeting was called to order at 7:10 P.M. in the Oak Middle School auditorium when Moderator Kevin T. Byrne announced a quorum of town meeting members in attendance. The official checklist showed 188 town meeting members present, including ex-officio member.

The moderator led the assembly in the pledge of allegiance to the flag.

Selectman John Lebeaux acknowledged Police Chief Wayne Sampson who will retire on December 31, 2006. Chief Sampson was recognized for his dedication to Shrewsbury during thirty-four years service as a member of the Police Department, including eight years as Police Chief.

Citizens for a Better Shrewsbury were thanked by the moderator for their assistance with microphone duties.

The moderator welcomed two young visitors from Russia and Kirkistan.

An asterisk indicates articles recommended by the Finance Committee.

***Article 1: Boston Turnpike Improvements
 Land Acquisitions & Easements
 Harrington Ave., Svenson Rd., Boston Tpk.**

VOTED UNANIMOUSLY a motion to authorize the Board of Selectmen to convey certain parcels, in fee or by easement, as shown on a plan entitled "Plan showing land transfers and easements on Groveland Street" prepared by the Town of Shrewsbury Engineering Department dated August 24, 2006 to Mary Catherine Chute and/or National Grid Corporation or its predecessors for the purposes of improving public access and safety at the intersection near Boston Turnpike (Route 9) and Svenson Road, and to convey certain parcels, in fee or by easement, to the Commonwealth of Massachusetts as shown on a plan entitled "Plan showing proposed land takings on the easterly side of Harrington Avenue for realignment and widening of a portion of Harrington Avenue and Boston Turnpike (Route 9) prepared by the Town of Shrewsbury Engineering Department dated August 2006 and recorded at the Worcester County Registry, and to convey certain parcels, in fee or by easement, to the Commonwealth of Massachusetts as shown on a plan entitled "Plan showing the proposed land takings on the westerly side of Harrington Avenue for realignment and widening of a portion of Harrington Avenue and Boston Turnpike (Route 9)" prepared by the Town of Shrewsbury Engineering Department dated August 2006 and recorded at the Worcester County Registry of Deeds, or to take any other action in relation thereto.

Parcel B

BEGINNING at a point on the easterly sideline of the 1959 Town Layout of Svenson Road, said point being at the northwesterly lot corner of land of said New England Power Company and being at the intersection of the southerly sideline of

Groveland Street, a private way, with the said Town Layout of Svenson Road;

THENCE N 02°06'00" W, 22.61 feet, along the said easterly sideline of said 1959 Town Layout of Svenson Road to a point;

THENCE S 64°19'10" E", 38.25 feet, to a point;

THENCE Southeasterly, 35.55 feet, along a curve to the left having a radius of 274.59 feet, to a point;

THENCE N 89°01'48" W, 21.56 feet, to a point;

THENCE N 81°16'20" W, 45.56 feet, to the point of beginning.

The above described parcel is labeled as Parcel B and contains about 758 square feet of land, more or less, and is shown on a plan entitled, "Owners-Town of Shrewsbury, Mary Catherine Chute and New England Power Company; Plan Showing Land Transfers and Easements on Groveland Street"; Sheet 1 of 2; dated August 24, 2006; prepared by the Town of Shrewsbury Engineering Department.

Easement 3

BEGINNING at a point on the easterly sideline of the 1959 Town Layout of Svenson Road;

THENCE N 09°46'15" E, 15.74 feet, along the said easterly sideline of Svenson Road to a point;

THENCE N 02°06'00" W, 7.25 feet, along the said easterly sideline of the said 1959 Town Layout of Svenson Road to a point;

THENCE S 88°49'20" E, 86.83 feet, to a point;

THENCE N 12°41'06" E, 40.00 feet, to a point;

THENCE Easterly, 80.69 feet, along a curve to the left having a radius of 254.59 feet, to a point;

THENCE N 84°31'35" E, 21.92 feet, to a point;

THENCE S 05°28'25" E, 40.00 feet, to a point;

THENCE S 84°31'35" W, 200.69 feet, to a point;

THENCE N 64°19'10" W, 4.45 feet, to the point of beginning.

The above described access easement is labeled as Easement 3 and contains about 6,546 square feet of land, more or less, and is shown on the hereinafter described plan.

Easement 4

BEGINNING at a point on the easterly sideline of the 1959 Town Layout of Svenson Road;

THENCE N 02°06'00" W, 32.16 feet, along the said easterly sideline of said 1959 Town Layout of Svenson Road to a point;

THENCE S 81°16'20" E, 45.56 feet, to a point;

THENCE S 89°01'48" E, 21.56 feet, to a point;

THENCE Easterly, 26.73 feet, along a curve to the left having a radius of 274.59 feet, to a point;

THENCE S 12°41'06" W, 20.00 feet, to a point;

THENCE N 88°49'20" W, 86.83 feet, to the point of beginning.

The above described access easement is labeled as Easement 4 and contains about 2,398 square feet of land, more or less, and is shown on the hereinafter described plan.

Easement 5

Beginning at a point, said point being at a southerly property corner of land owned now or formerly by the Town of Shrewsbury;

THENCE N 63°41'44" W, 44.29 feet, to a point;

THENCE N 15°03'15" E, 50.98 feet, to a point;

THENCE S 63°41'44" E, 44.29 feet, to a point;

THENCE S 15°03'15" W, 50.98 feet, to the point of beginning.

The above described Electric Transmission Easement is labeled as Easement 5 and contains about 2,215 square feet of land, more or less, and is shown on a plan entitled, "Owners-Town of Shrewsbury, Mary Catherine Chute and New England Power Company; Plan Showing Land Transfers and Easements on Groveland Street"; Sheet 2 of 2; dated August 24, 2006; prepared by the Town of Shrewsbury Engineering Department.

Parcel 8-1

A certain parcel of land located in the Town of Shrewsbury, County of Worcester, Commonwealth of Massachusetts, being more particularly described as follows:

BEGINNING at a point on the northerly sideline of the 1930 State Highway Layout of Boston Turnpike;

THENCE N 80°47'54"E, 65.86 feet, through land owned now or formerly by Robert Defalco to a point;

THENCE Easterly, 36 feet, more or less, through land of said Defalco to a point on the westerly sideline of 1955 Town Layout of Harrington Avenue;

THENCE Southwesterly, 21 feet, more or less, along a curve to the right having a radius of 40.00 feet, along the said 1955 Town Layout of Harrington Avenue to a point on the said northerly sideline of the 1930 State Highway Layout of Boston Turnpike;

THENCE Westerly, 83 feet, more or less, along the said northerly sideline of Boston Turnpike to the point of beginning.

The above described parcel is labeled as Parcel 8-1 and contains about 289 square feet of land, more or less, and is shown on a plan entitled; "Owner-Town of Shrewsbury; Plan Showing Proposed Land Takings on the Westerly Side of Harrington Avenue for Realignment and Widening of a Portion of Harrington Avenue and Boston Turnpike (Route 9)" dated August 2006, prepared by the Town of Shrewsbury Engineering Department. A copy of said plan is filed herewith in Worcester District Registry of Deeds, Plan Book 847, Plan 59.

Parcel 8-2

A certain parcel of land located in the Town of Shrewsbury, County of Worcester, Commonwealth of Massachusetts, being more particularly described as follows:

BEGINNING at a point on the northerly sideline of the 1930 State Highway Layout of Boston Turnpike;

THENCE Westerly, 282 feet, more or less along the northerly sideline of said 1930 State Highway Layout of Boston Turnpike to a point of tangency on 1955 Town layout alteration of Harrington Avenue (lo. No. 4339);

THENCE Westerly and northerly, 25 feet, more or less along the said 1955 Town layout alteration of Harrington Avenue along a curve to the right to a point;

THENCE Easterly, 66 feet, more or less through land of now or formerly of Cole and Bonin Inc. to a point;

THENCE N 84°36'45"E, 239.23 feet, through land of said now or formerly of Cole and Bonin Inc. to a point;

THENCE S 5°23'15"E, 8.00 feet, , through land of said now or formerly of Cole and Bonin Inc. to the point of beginning.

The above described parcel is labeled as Parcel 8-2 and contains about 2,350 square feet of land, more or less, and is shown on a plan entitled; "Owner-Town of Shrewsbury; Plan Showing Proposed Land Takings on the Easterly Side of Harrington Avenue for Realignment and Widening of a Portion of Harrington Avenue and Boston Turnpike

(Route 9)" dated August 2006, prepared by the Town of Shrewsbury Engineering Department.

A copy of said plan is filed herewith in Worcester District Registry of Deeds, Plan Book 847, Plan 60.

***Article 2: Boylston Street (Route 140)
Change Designation of Land**

VOTED BY A DECLARED 2/3rds MAJORITY a motion to change the designation of a portion of a parcel of land acquired by the Town of Shrewsbury in November of 1967 from cemetery purposes to municipal purposes to allow for the construction of the new fire headquarters with said parcel of land located approximately 300 feet on westerly side of Boylston Street (Route 140) and approximately 400 feet northerly of Main Street and presently owned by the Town of Shrewsbury containing 3,874 sq. ft. more or less and is bounded and described as follows:

BEGINNING at the southwesterly corner of said parcel at a point, said point being at land now or formerly of Town of Shrewsbury;

THENCE N11°11'23"W, 54.63 feet to a point;

THENCE N78°48'37"E, 51.43 feet a point;

THENCE S70°01'53"E, 67.33 feet a point;

THENCE S 68°31' 17" W, 110.82 feet to the point of beginning.

The preceding three (4) courses being through land now or formerly of said Town of Shrewsbury.

***Article 3: Rescind Vote - Use of Land
630 Hartford Tpk.**

VOTED BY A DECLARED 2/3rds MAJORITY a motion that the Town rescind its vote taken under Article 41 of the May 17, 1995, Annual Town Meeting when the Town designated a 19.36 acre portion of a parcel of land formerly used for municipal solid waste disposal owned by the Town located at 630 Hartford Turnpike for active and passive recreation and open space purposes and to change the designation of this land to municipal purposes.

Moderator Kevin T. Byrne recused himself from presiding over Articles 4 & 5.

VOTED a motion to elect Town Counsel T. Philip Leader as Temporary Moderator for Articles 4 & 5.

***Article 4: Amend Zoning Map
 Northwest Corner of Boston Tpk. (Route 9) and Lake Street**

VOTED UNANIMOUSLY a motion to end debate and vote the substitute printed motion.

Selectmen unanimously support approval

Finance Committee recommends approval

Planning Board report recommending approval with conditions was presented by Vice Chairman Stephan Rodolakis.

VOTED BY A DECLARED 2/3rds MAJORITY a substitute motion to amend the Zoning Map by rezoning land, located at the northwest corner of Boston Turnpike (Route 9) and Lake Street, from MF-1 Garden-Type (multi-family) to Commercial Business as shown on a plan entitled "Proposed Zoning Change, Boston Turnpike (Route 9) and Lake Street" dated July 18, 2006, revised September 15, 2006, on file in the office of the Town Clerk.

***Article 5: Sale of Land
 Boston Turnpike**

VOTED BY A DECLARED 2/3rds MAJORITY a motion to authorize the Board of Selectmen to sell in a manner and under such terms and conditions deemed appropriate by the Board, a parcel of land on Boston Turnpike (Route 9) no longer needed for highway purposes, containing 5114 sq. ft. more or less and is bounded and described as follows:

Description of Parcel A

A certain parcel of land located in the Town of Shrewsbury, County of Worcester, Commonwealth of Massachusetts, being more particularly described as follows:

Beginning at a point on the Northerly sideline of 1930 State Highway Layout of the Boston Worcester Turnpike, said point being N9°40'25" E a distance of 61.50 feet from baseline station 95+87.06 on the said 1930 State Highway Layout of the Boston Worcester Turnpike;

THENCE S86°58' 50" W, 222.91 feet, along the northerly sideline of said 1930 state layout of Boston Worcester Turnpike to a point;

THENCE N3°01' 10" W, 18.56 feet to a point;

THENCE N84°54'42"E, 229.10 feet, along the northerly sideline of the old Town Road and by land now or formerly of Kenneth J. and Rose-Marie Levesque to a point on the westerly sideline of Town Layout of Lake Street;

THENCE S9°40' 25"W, 27.50 feet, along the said sideline of Lake Street to the point of beginning.

The above described parcel is labeled Parcel A contains about 5,114 square feet of land, more or less and is shown on a plan entitled, "OWNER: TOWN OF SHREWSBURY, PLAN SHOWING A PORTION OF OLD TOWN ROAD #43 TO BE DISCONTINUED & ABANDONED"; dated September 5, 2006; prepared by GEO / NETWORK LAND SURVEY, INC..

***Article 6: Amend General Bylaws
Article 3, Sec. 4
Finance Committee Report to Selectmen**

VOTED UNANIMOUSLY a motion to amend Article 3, Section 4 of the General By-laws of the Town of Shrewsbury by deleting "April 1st" and inserting in place "May 1st".

***Article 7: Change Designation of Land
Boylston Street - Prospect Street
Masonic Property**

VOTED UNANIMOUSLY a motion to change the designation of a portion of a parcel of land acquired by the Town of Shrewsbury in July of 1976 from the Masonic Education and Charity Trust from playground purposes to water supply purposes, being a certain parcel of land located in the Town of Shrewsbury, Worcester County, Massachusetts, being shown as "PARCEL A", on a plan entitled "Plan Showing Additional Land to Be Designated for Water Supply Purposes" located approximately 1000 feet easterly of Boylston Street (Route 140) and approximately 500 feet northwesterly of Prospect Street and presently owned by the Town of Shrewsbury, containing 12,588 square feet more or less and is bounded and described as follows:

BEGINNING at the most southeasterly corner of the herein described parcel A, on the southerly terminus of 1984 layout of Venus Drive.

THENCE S56°45'54"E, 294.11 feet through land of now or formerly of the Town of Shrewsbury to a point at other land of now or formerly of the Town of Shrewsbury Water and Sewer department;

THENCE N03°23'13"E, 54.76 feet along the land of now or formerly of the said Town of Shrewsbury Water and Sewer department to a point;

THENCE N56°45'54"W, 235.95 feet through land of now or formerly of the Town of Shrewsbury to a point at southerly terminus of said 1984 layout of Venus Drive ;

THENCE S66°17'18"W, 56.67 feet along southerly terminus of said 1984 layout of Venus Drive to the point of beginning.

***Article 8: Stabilization Fund
Appropriation**

VOTED a motion to end debate and vote a motion to amend.

Selectmen oppose motion to amend.

DEFEATED a motion to amend the substitute printed motion by striking out the sum of \$388,348.00 and inserting the sum of \$188,348.

VOTED a motion to end debate and vote the substitute printed motion.

VOTED BY A DECLARED 2/3rds MAJORITY a substitute printed motion to raise and appropriate \$388,348.00 to the Stabilization Fund.

***Article 9: Supplemental Budget Appropriations**

VOTED UNANIMOUSLY a substitute printed motion to raise and appropriate \$475,652.00 to supplement sums raised under Article 6 of the May 15, 2006, Annual Town Meeting to pay Town debts and charges for the fiscal year beginning July 1, 2006 as follows:

Department	Account	Amount	Purpose
School Department		\$185,000.00	Purchase Textbooks
Public Buildings	Expenses 04-05-06	\$12,000.00	Facilities & Grounds Maintenance
Police Department	Salaries 03	\$43,300.00	Two Additional Police Officer Positions
	Salaries 03	\$30,000.00	Overtime (additional to be requested at May ATM as necessary)
	Expenses 04-05-06	\$20,000.00	Academy Training/Examinations/Other Related Expenses
	New Officers Equipment 08	\$42,000.00	To Equip New Officers
Highway Department	Expenses 04-05-06	\$50,000.00	Rental of Equipment
	Expenses 04-05-06	\$50,000.00	Salt & Chemicals
Board of Health	Sep Approp 09	\$15,000.00	Waste Collection Program
Library Department	New Equipment 08	\$5,000.00	Purchase (5) Computers
Park Department	Sep Approp 09	\$15,000.00	Field & Grounds Maintenance
Debt & Interest	Temp Borrowing	\$8,352.00	Oak Middle School BAN
		\$475,652.00	

Finance Committee recommendation: School Dept., 5 in favor, 1 opposed; Public Buildings, 5 in favor, 1 opposed; Police Dept., 6 in favor; Highway Dept., 5 in favor, 1 abstained; Board of Health, 5 in favor, 1 opposed; Library, 5 in favor, 1 opposed; Park Dept., 5 in favor, 1 opposed; Debt & Interest, 6 in favor

***Article 10: Departmental Bill of Prior Year**

VOTED UNANIMOUSLY a motion to raise and appropriate \$299.99 to pay a departmental bill incurred in a prior year by the Fire Department.

***Article 11: Sec. 1, Ch. 157 of the Acts of 2005
Disability Retirement Benefits to Veterans**

VOTED UNANIMOUSLY a motion to accept the provisions of Section 1 of Chapter 157 of the Acts of 2005 that deals with disability retirement benefits for veterans.

***Article 12: Rescind Bond Authorization
North Shore School**

VOTED UNANIMOUSLY a motion to rescind \$580,000 in outstanding bond authorization that was originally established under Article 1 of the May 20, 2002, Special Town Meeting in the amount of \$1,830,000 that was associated with the construction of additional classroom and office space at the former North Shore School.

***Article 13: Highway Department Funds**

VOTED UNANIMOUSLY a motion to accept from the Commonwealth of Massachusetts \$259,404 and \$572,481 under the provisions of Chapter 90, Section 34 and transfer said funds to the Highway Department.

VOTED a motion to adjourn at 9:25 P.M.

ATTEST:

Ann M. Dagle, CMMC
Town Clerk